



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 10-436
Released: March 15, 2010

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN
ASSETS OF INTEGRA TELECOM OF OREGON, INC. AND ITS AFFILIATES
BY CAL-ORE COMMUNICATIONS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-48

Comments Due: March 29, 2010

Reply Comments Due: April 5, 2010

On February 17, 2010, Integra Telecom of Oregon, Inc. (Integra) and its affiliates, Eschelon Telecom of Oregon, LLC, United Communications, Inc. d/b/a UNICOM, Oregon Telecom, Inc., ATI, Inc., and Shared Communications, Inc., and Cal-Ore Communications, Inc. (Cal-Ore) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer certain assets of Integra and its affiliates located in Klamath Falls, Oregon to Cal-Ore.¹ Integra and its parent company, Integra Telecom Holdings, Inc. (Integra Holdings), are Oregon corporations.² Integra Holdings previously purchased the affiliates identified above, all of which provide, through Integra, competitive resold local exchange carrier (LEC) services to customers in Klamath Falls, Oregon where Qwest Corporation is the incumbent LEC. Cal-Ore, a California corporation, provides facilities-based competitive LEC and long distance services in Klamath Falls, Merrill, and Malin, Oregon as well as Dorris, Tulelake, Lake Shastina, and Yreka, California. Cal-Ore is wholly owned by California-Oregon Telecommunications Company, a California corporation, which is wholly owned by LICT Corporation, a Delaware corporation. Applicants state that the only person that owns at least 10 percent of the equity of LICT Corporation is Mario J. Gabelli, a U.S. citizen, and he owns 27 percent of the company.³

Pursuant to the terms of the proposed transaction, Cal-Ore will acquire approximately 320 customers that Integra and its affiliates presently serve through the resale of incumbent LEC service. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants filed supplements to their domestic section 214 application on February 26, 2010 and March 12, 2010.

² The following U.S.-based entities own 10 percent or more of the ultimate parent company of Integra, Integra Telecom, Inc.: Goldman, Sachs & Co. (36.4 percent), Tennenbaum Capital Partners, LLC (21.9 percent), and Farallon Capital Management, L.L.C (10.2 percent). The managing members of Farallon Capital Management, L.L.C. have U.S. and foreign citizenship.

³ LICT Corporation owns, through intermediate subsidiaries, rural incumbent LECs and competitive LECs in several states, not including Oregon.

section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁴

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Integra Telecom of Oregon, Inc. and its Affiliates by Cal-Ore Communications, Inc., WC Docket No. 10-48 (filed Feb. 17, 2010).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before March 29, 2010**, and reply comments **on or before April 5, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁵ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

⁴ 47 C.F.R. § 63.03(b)(2)(i).

⁵ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Jodie May at (202) 418-0913.

-FCC-